GOVERNMENT OF INDIA
COMMERCE AND INDUSTRY
LOK SABHA

UNSTARRED QUESTION NO:4166
ANSWERED ON:18.08.2000
PATENT CASES AGAINST US
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Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) Whether the Government have wona patent case against a US firm`Leo One` for the concept of using equatorialand polar orbiting satellites as relay for a satellite based communication system;

(b) if so, the details of the claims of the US firm and the Indian case against it;

(c) the progress made so far in the case of ` Neem ` patent?

Answer

The Minister of State in the Ministry of Commerce and Industry (Dr. Raman Singh)

(a) and (b): In view of the objections filed by the Department of Space, `LEO One` , a US firm which had filed for an Indianpatent on the concept of using equatorial and polar orbiting satellites as relays for a satellite based communication system abandoned its application. The claim of the US firm was based on the concept of a constellation of satellites for transmission and relay of data.

Department of Space had objected that (a) the claim for patent has not brought out any novelty, that is, the concept is already contained in published information; and (b) the system suggested in the patent application did not give full details of satellite constellation definition for the claimed coverage possibilities.

(c): A patent number EP 0436257 titled ` Method for controlling fungi on plants by the aid of a hydrophobic extracted neem oil` granted by the European Patent Office (EPO) to M/s W.R. Grace and Company, a US firm and the US Department of Agriculture is reported to have been revoked by the EPO since the claims were not novel in view of public prior use, which had taken place in India.